

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

WILLIAM DUNCAN,

Plaintiff,

v.

JOSEPH LEHMAN ,

Defendant.

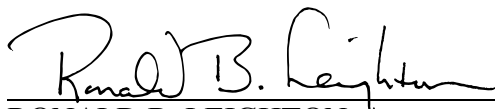
Case No. C04-5633RBL

ORDER ADOPTING REPORT AND  
RECOMMENDATION

The Court, having reviewed, the Report and Recommendation of Magistrate Judge j. Kelley Arnold, objections to the report and recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation;
- (2) Defendant's Motion for summary judgment is **GRANTED** for the reasons set forth in the Report and Recommendation.
- (3) The Clerk is directed to send copies of this Order to counsel for plaintiff, counsel for defendant and to the Hon. J. Kelley Arnold.

DATED this 2<sup>nd</sup> day of June, 2006.



RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE